

**REMARKS**

The present amendment is submitted in response to the Office Action mailed April 23, 2007. Claims 3-9 are pending in this application. In view of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

It is respectfully requested receipt of the certified copy of the priority document be acknowledged upon the next official communication from the Patent and Trademark Office.

***35 U.S.C. §102(b)***

Claim 1 has been rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Pat. No. 6,697,950 B1 to Ko. In response, Claim 1 has been cancelled.

***35 U.S.C. §103(a)***

In the Office Action, Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ko, in view of Wagner et al - “Intrusion Detection via Static Analysis”, 2001 Proceedings of the IEEE Symposium on security and privacy 2001 IEEE.

Claim 2 has been cancelled and re-written as independent claim 3 including certain clarifying amendments.

As per the rejection of Claim 2, the Examiner maintains that Ko does not explicitly disclose the invention method, however, Wagner discloses each of the elements of the invention. Applicants respectfully traverse the rejection for at least the following reasons.

Wagner is directed to the use of static analysis to automatically derive a model of application behavior. It is respectfully submitted that the method of the invention is not based on a static analysis. The static analysis of Wagner is disclosed in the context of four static models, namely, a trivial model, a callgraph model, an abstract stack model and a diagraph model. Each of the afore-stated models do not disclose or suggest the method of the invention.

Accordingly, applicant respectfully request withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claim 3 and allowance thereof is respectfully requested.

### **New Claims**

Claims 4 – 9 have been added to recite that the determination steps of Independent Claim 3 are based on a non-static model and find clear support in the present application.

### **Conclusion**

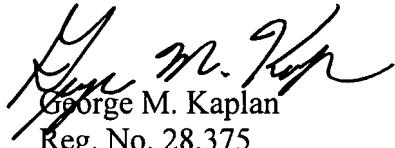
In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 3- 9 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact Applicant's representative.

A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(c) is enclosed in triplicate together with the requisite petition fee.

Early favorable action is earnestly solicited.

Respectfully submitted,



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